

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 3

In re application of

Christian LAROQUE, et al.

Appln. No.: 09/605,881

Filed: June 29, 2000



Attorney Docket Q59841

Group Art Unit: 2731

Examiner: Not yet assigned

For: METHOD OF MONITORING THE USE OF A CHARGEABLE DYNAMIC  
SIGNALING PORT OF AN INTER-EXCHANGE TRUNK

**PETITION UNDER 37 CFR 1.47 (a) / SUBMISSION OF EXECUTED DECLARATION  
IN RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**ATTN: BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

RECEIVED  
SEP 27 2000  
3700 MAIL ROOM

In response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted" (**copy enclosed**), mailed August 28, 2000, Applicant submits herewith the required Declaration properly executed by one of the two inventors pursuant to 37 CRFR 1.47 (a). Also enclosed is a declaration of Michele Bruneel (with attached Exhibits 1 and 2) explaining the circumstances under which the remaining inventor has not signed.

The circumstances are fully set forth in the attached declaration of Michele Bruneel, and need not be repeated in detail here. The inventor Christian Laroque has left the employ of the assignee of this application, and due to a dispute as to terms of departure has refused to executed the required formal papers for proceeding in the U.S. Patent and Trademark Office. The

assignee will continue to attempt to obtain signature by Mr. Laroque.

10/25/2000 LGIBBS 00000017 194880 09605881

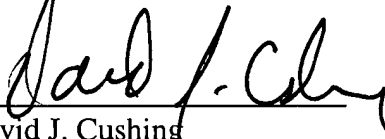
01 FC:122 130.00 CH

The refusing inventor's last known address is:

Christian Laroque  
92500 Rueil Malmaison  
France

A check for the surcharge of \$130.00 is attached. Please also charge any underpayment or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is attached.

Respectfully submitted,



David J. Cushing

Registration No. 28,703

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860  
Date: SEP 21 2000



## MEMO

Pour : Xavier de FAY

ALCATEL BUSINESS SYSTEMS  
Fax : +33 (0)1 55 66 43 91

De : Michèle BRUNEEL

Département Propriété Industrielle, Paris  
Tél : 2155 64 14  
Fax : 2155 63 22  
E-Mail : michèle.bruneel@alcatel.fr

  
Date: 3 mai 2000

N/Réf. : 102531/ES/ESD/MBJ

<b>Titre :</b>	PROCEDE DE CONTROLE DE L'EXPLOITATION D'UN ACCES, A SIGNALISATION DYNAMIQUE PAYANTE, RELATIF A UNE ARTERE RELIANT DES AUTOCOMMUTATEURS
<b>Inventeurs</b>	Christian LAROQUE Lahcen BENNAI

### Objet : Déclaration et Assignment pour les USA

Veuillez trouver ci-joint la Déclaration et l'Assignment nécessaires au dépôt d'une demande de brevet aux Etats-Unis pour l'invention ci-dessus référencée.

Merci de nous retourner ces documents dûment remplis et signés par les inventeurs avant le  
31 MAI 2000

A l'adresse suivante :

COMPAGNIE FINANCIERE ALCATEL  
DPI  
30 avenue Kléber  
75116 PARIS

Exhibit 1



Christian Laroque <christian.laroque@anitesystems.de> on 29/05/2000  
14:17:57

To: Michele BRUNEEL/FR/ALCATEL@ALCATEL

cc:

Subject Brevets US

102 530 et 102 531

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Au mois de fevrier dernier, vous m'avez adresse un  
formulaire de declaration et d'assignement concernant  
le depot d'une demande de brevet aux US.

N/Ref : 102350/ES/ESD/MBJ

J'ai quitte le groupe Alcatel au mois d'aout dernier, et ABS  
refuse de verser des primes aux salaries inventeurs ayant quitte le  
groupe.

Je ne vous ai donc pas renvoye la declaration  
et ne la renverrai pas.

J'ai recu la semaine derniere une autre demande  
du meme type, pour un autre brevet, mais cette  
fois la demande est venue directement d'ABS.

Je ne renverrai la non plus aucun papier tant que ABS  
ne consentira pas a me verser la prime qui m'est due.  
(c'est moi qui est fourni le travail qui a permis le  
depot du brevet, et je demande simplement a toucher  
les memes primes de brevet que celles qui sont recues  
par les salaries du groupe).

Salutations.

---

Christian Laroque Phone: + 49-6151-872-5137  
Anite Systems GmbH Fax: + 49-6151-872-5151  
Robert Bosch Str 7  
D-64293 Darmstadt, Germany

Exhibit 2

## FORMALITIES LETTER



\*OC000000005355704\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/605,881	06/29/2000	Christian Laroque	Q59841

Sughrue Mion Zinn MacPeak & Seas PLLC  
2100 Pennsylvania Avenue N W  
Washington, DC 20037-3213

Date Mailed: 08/28/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/22/2000 CNGUYEN 00000033 09605881

01 FC:105

130.00 OP

#3

PATENT APPLICATION

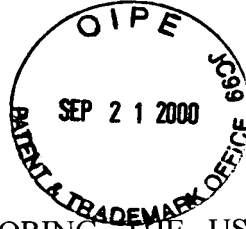
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Christian LAROQUE et al

Appln. No.: 09/605,881

Filed: June 29, 2000



Attorney Docket Q59841

Group Art Unit:

Examiner:

For: METHOD OF MONITORING THE USE OF A CHARGEABLE DYNAMIC SIGNALING PORT OF AN INTER-EXCHANGE TRUNK

DECLARATION

I, Michèle Bruneel, hereby declare that:

1. I am employed by Alcatel, the owner of the above application.
2. The two inventors of the above application are Christian Laroque and Lahcen Bennai.
3. Both of the inventors were employed by Alcatel Business Systems, a subsidiary of Alcatel.
4. On May 3, 2000, I sent the Declaration and Power of Attorney to Mr. Xavier De Fay, Alcatel Business Systems, for execution by the two inventors. Attached as Exhibit 1 is a copy of the relevant correspondence. The Declaration was returned to me with the signature of only Lahcen Bennai, and I was advised that Mr. Christian Laroque was no longer employed by Alcatel Business Systems, and I was also advised of his new home address in Germany.
6. On May 29, 2000, Mr. Christian Laroque sent me an email concerning another U.S. patent application (U.S. Appl. No. 09/605,434) in which he is refusing to sign the

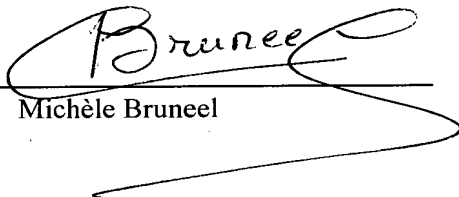
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Declaration and Power of Attorney due to a dispute with Alcatel over the payment of bonuses to departed employees. In this same email. Mr. Laroque refers to another case where he had received a request directly from Alcatel Business Systems for execution of papers, and indicates that he is also refusing to sign and return the Declaration and Power of Attorney for that case. That other case is the present application, No. 09/605,881.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 10, 2000

By:

  
Michèle Bruneel

Form PTO-1595  
1-31-92U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Assistant Commissioner of Patents. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Christian LAROQUE, Lahcen BENNAI

2. Name and address of receiving party(ies)?

ALCATEL  
54, rue La Boetie  
75008 Paris, France

Additional name(s) of conveying party(ies) attached?

☐ yes☒ no

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Names☐ Other

Additional name(s) &amp; address(es) attached?

☐ yes☒ no

Execution Date: May 12, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/605,881

B. Patent No.(s)

Additional numbers attached?

☐ Yes☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Suite 800  
Washington, D.C. 20037-3213

6. Total number of applications and registration involved:

1

7. Total Fee (37 CFR 3.41): \$40.00

☒ Enclosed. Please charge any underpayment in connection with this Assignment to Deposit Account No. 19-4880.☐ Authorized to be charged to Deposit Account

8. Deposit Account No.

19-4880

## DO NOT WRITE IN THIS SPACE

9. Statement and Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David J. Cushing

Reg. No. 28,703

SEP 21 2000

Date

TOTAL NUMBER OF PAGES COMPRISING COVER SHEET, ATTACHMENTS AND DOCUMENT: 2

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents

Box Assignments

Washington, D.C. 20231